

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEEP9 CORPORATION,

Plaintiff,

v.

BARNES & NOBLE, INC. and
BARNESANDNOBLE.COM, LLC,

Defendants.

No. 2:11-cv-00035-JLR

NOTICE OF APPEAL

Notice is hereby given that Deep9 Corporation, Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Judgment (Dkt. No. 277) and Order Granting Summary Judgment (Dkt. No. 276) in favor of defendants entered in this action on the 21st day of September, 2012.

Dated this 16th day of October, 2012.

HOGAN LOVELLS US LLP

By: /s/ Christian Mammen
Christian Mammen, WSBA #23493
chris.mammen@hoganlovells.com
3 Embarcadero Center, Suite 1500
San Francisco, CA 94111
Phone: 415.374.2300
Fax: 415.374.2499

TOUSLEY BRAIN STEPHENS PLLC

Kim D. Stephens, WSBA #11984

kstephens@tousley.com

Mark Deife, WSBA #15532

mdeife@tousley.com

Chase Alvord, WSBA #26080

calvord@tousley.com

Cale L. Ehrlich, WSBA #44359

cehrlich@tousley.com

1700 Seventh Avenue, Suite 2200

Seattle, Washington 98101

Phone: 206.682.5600

Fax: 206.682.2992

LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP

Eric B. Fastiff (*admitted pro hac vice*)

efastiff@lchb.com

David T. Rudolph (*admitted pro hac vice*)

drudolph@lchb.com

275 Battery Street, 29th Floor

San Francisco, CA 94111-3339

Phone: 415.956.1000

Fax: 415.956.1008

Jonathan Selbin (*admitted pro hac vice*)

jselbin@lchb.com

Michael Miarmi (*admitted pro hac vice*)

mmiarmi@lchb.com

Rachel Geman (*admitted pro hac vice*)

rgeman@lchb.com

250 Hudson Street, 8th Floor

New York, NY 10013-1413

Phone: 212.355.9500

Fax: 212.355.9592

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification to all counsel of record.

Dated this 16th day of October, 2012.

HOGAN LOVELLS US LLP

By: /s/ Christian Mammen
Christian Mammen, WSBA #23493
chris.mammen@hoganlovells.com
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San Francisco, CA 94111
Phone: 415.374.2300
Fax: 415.374.2499